




Air Force Invention No. AFB00612

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On 30 November 2004  
(DATE OF DEPOSIT)

THOMAS C. STOVER 22,531  
NAME OF APPLICANT, ASSIGNEE, OR REG. REP.

 30 November 2004  
SIGNATURE DATE

IN THE UNITED STATES PATENT OFFICE

In re Divisional Application of  
Phillip G. Wapner et al.  
Serial No.10/024,836  
Filed: 19 Dec. 2001

Group Art Unit: 1733  
Examiner: J. Rossi

For: **MICROTUBES WITH AXIALLY VARIABLE GEOMETRIES AND  
METHOD OF MANUFACTURING SAME**

Honorable Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO REQUIREMENT FOR RESTRICTION & AMENDMENT**

The following is in response to a requirement for restriction under 35 USC 1.121, dated 9-17-04. That Action restricts the claims as follows:

Species A, claims 28-34, drawn to adding material to the core; i.e., an augmented mandrel; p. 18, second paragraph.

Species B, claims 35-42, drawn to removing material from the core; p. 20, third paragraph.

Species C, claims 43-46, drawn to moving material on the core; p. 22, third paragraph.

However, the above claims are believed not distinct inventions but so closely as to justify examination thereof as a single invention.

That is, the claims of the above species recite related methods for forming microtube devices.

Thus it is believed that an action on the merits of all the claims of the above species is in order and the same is requested.

This would appear to be a more efficient procedure, as it would avoid duplicate examinations on such related subject matter by one or more examiners.

Accordingly, it is requested that the above restriction requirement be withdrawn.

However, as required by 37 CFR 1.143, to complete the response therein, Applicants affirm a provisional election made by telephone with the Examiner on 9-7-03 to prosecute the invention of species B and of subspecies Bi, claims 35-38 & 40-42, while traversing the need for such election.

It is understood that claims 28-34, 39 & 43-46 are withdrawn from further consideration by the Examiner per 37 CFR 1.142 b), as being drawn to a non-elected invention, which however, may be pursued in the future.

#### **AMENDMENT**

In response to the Office Action dated 9-17-04, please amend the above-identified application as follows: